

U.S. PROBATION OFFICE

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

Name of Offender: Lester Allen Barnes **Docket Number:** 3:13-CR-00117-001

Name of Sentencing Judicial Officer: The Honorable Thomas A. Varlan
United States District Judge

Date of Original Sentence: March 3, 2015

Original Offense: Counts 1-3: Distribution of Oxycodone
Count 4: Possession With Intent to Distribute Oxycodone
Count 5: Possession of a Firearm in Furtherance of a Drug Trafficking
Offense
Count 6: Felon in Possession of Firearms and Ammunition

Class: Counts 1-4, 6: C Felonies **Criminal History Category:** II
Count 5: A Felony

Original Sentence: 106 months imprisonment, followed by three (3) years supervised release

Compassionate Release – July 7, 2020: Original sentence reduced to Time Served plus 14 days, additional term of supervised release equal to the unserved portion of the original term of imprisonment, which is to conclude on May 29, 2022. The defendant's original term of supervised release will follow this term of supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: July 9, 2020

Date Supervision Expires: May 22, 2022 (Compassionate Release supervision expires)

Assistant U.S. Attorney: Cynthia F. Davidson

Defense Attorney: Jonathan A. Moffatt

PETITIONING THE COURT

**REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT**

Barnes, Lester Allen

PAGE 2

Docket Number: 3:13-CR-00117-001

To modify the conditions of supervision as follows:

Special Condition Number Two (2) to be removed which states:

The defendant shall be placed on home detention for a period of twelve (12) months, to commence immediately upon release from the Bureau of Prisons. If the BOP does not quarantine defendant prior to release, he shall be placed on home detention for a period of twelve (12) months, to commence within fourteen (14) days following his fourteen-day self-quarantine. During this time, he shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. He shall maintain a telephone at his place of residence without any "call forwarding," "Caller ID," "call waiting," modems, answering machines, cordless telephones or other special services for the above period. He shall wear an electronic device and shall observe the rules specified by the Probation Department. The defendant shall pay for this service.

CAUSE

On March 3, 2015, in the United States District Court for the Eastern District of Tennessee, Mr. Barnes was sentenced to 106 months imprisonment, followed by three (3) years supervised release for the offenses of Distribution of Oxycodone (three counts), Possession With Intent to Distribute Oxycodone, Possession of a Firearm in Furtherance of a Drug Trafficking Offense, and Felon in Possession of Firearms and Ammunition. On July 7, 2020, Mr. Barnes was granted a compassionate release, which reduced his sentence to Time Served plus fourteen (14) days. He was then placed on an additional term of supervised release equal to the unserved portion of the original term of imprisonment, which is to conclude on May 29, 2022. The defendant's original term of supervised release will follow this term of supervised release.

As a special condition of his compassionate release term of supervised release, Mr. Barnes was ordered to submit to home detention with electronic monitoring for a term of twelve (12) months. Mr. Barnes was placed on electronic monitoring on July 27, 2020, and has completed six (6) months of home detention with no compliance issues. Mr. Barnes continues to suffer from several health issues and has recently received health insurance; therefore, he has been attending medical appointments and undergoing medical procedures, including a recent heart stint. In addition to his compliance with his home detention condition, Mr. Barnes has been compliant with all other conditions of his supervised release.

Based upon the above circumstances, it is recommended that Mr. Barnes' conditions of supervision be modified to remove Special Condition Number Two, which requires him to remain on home detention with electronic monitoring for twelve (12) months. On January 27, 2021, this officer notified Assistant United States Attorney Cynthia Davidson of this recommendation, and she expressed no objection.

**REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT**

Barnes, Lester Allen

PAGE 3

Docket Number: 3:13-CR-00117-001

Respectfully submitted,



Amber D. Wilson

United States Probation Officer

1/27/2021

Date

APPROVED:



01/27/2021

Paul R. Harris

Date

Supervising United States Probation Officer

ADW: mfw

ORDER OF THE COURT:

The conditions of supervision are hereby modified as follows: Special Condition Number Two (2) be removed, which states:

The defendant shall be placed on home detention for a period of twelve (12) months, to commence immediately upon release from the Bureau of Prisons. If the BOP does not quarantine defendant prior to release, he shall be placed on home detention for a period of twelve (12) months, to commence within fourteen (14) days following his fourteen-day self-quarantine. During this time, he shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. He shall maintain a telephone at his place of residence without any "call forwarding," "Caller ID," "call waiting," modems, answering machines, cordless telephones or other special services for the above period. He shall wear an electronic device and shall observe the rules specified by the Probation Department. The defendant shall pay for this service.

IT IS SO ORDERED.

ENTER.



UNITED STATES DISTRICT JUDGE